

Issue Brief: Native American Affirmative Action Policy in the United States

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Key Words (4-6)

Native American, American Indian, Affirmative Action, Civil Rights, Education,

Description (2 sentences)

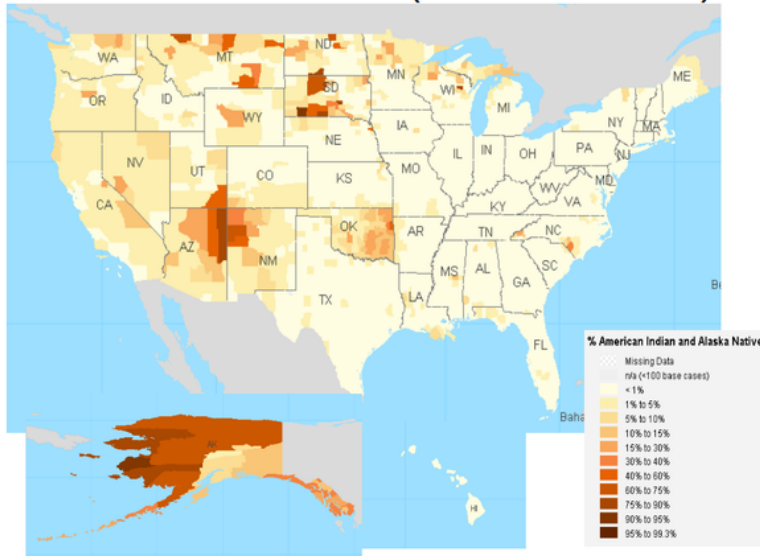
This brief outlines the ways in which the United States' affirmative action policy affects the Native American population. For the most part, affirmative action is responsible for the increase in Native American wealth that has helped many communities lift themselves improve their standards of living, but has not helped alleviate long-term issues of poor access to education.

Key Points (4-6)

- Affirmative action has helped to increase the level of education among Native Americans but has not helped to lift the overall community from the socioeconomic problems it has faced prior the policy of affirmative action. It continues to suffer from high unemployment rates and low graduation rates.
- The lack of adequate education in the K-12 levels available to most Native American populations, on and off the reservations, is the main reason that despite, affirmative action, the overall community of Native Americans cannot take full advantage of affirmative action as most minorities who benefit from affirmative action are those who attended the same elite schools as white students.
- Affirmative action has created an educational elite among the Native American population that has used the opportunity to create large businesses (in many cases due to exception from state law, these businesses are casinos) as operations to provide seed money to start many smaller businesses to benefit the community as a whole.
- The states that are trying to ban affirmative action are the same states with some of the highest Native American populations. The banning of affirmative action could be detrimental to the Native American community.

Images (2-4)

% Native American (Census 2000)



This image expresses the percentage of state populations defined as Native American or Native Alaskan. The majority of the regions with high concentrations are Indian Reservations. These reservations are largely located on “wastelands” where the soil is not fertile for agriculture and are far from modern urban centers. There is little opportunity for financial and education gain in these regions.

http://en.wikibooks.org/wiki/Introduction_to_Sociology/Race_and_Ethnicity

KEY STATES DETERMINING THE FUTURE OF AFFIRMATIVE ACTION

- = 2008 AFFIRMATIVE ACTION BATTLEGROUND STATES
- = STATES WHERE AFFIRMATIVE ACTION HAS BEEN BANNED



Affirmative action remains a hot button issue, particularly in states where the Native American population is concentrated on reservations. California, Washington and Michigan have already banned the policy from being used in the workplace and academic institutions. Arizona, Colorado and Nebraska had on a 2008 referendum to ban all forms of the policy.

<http://underthesamesun.wordpress.com/>

Brief (500-700 words)

Affirmative action was a policy that emerged from the path laid down by the Civil Rights movement. In the rigor of the movement, President John F. Kennedy issued Executive Order 10925 in 1961, which made references to “affirmative action” as a means to end discrimination. This policy prioritizes the representation of underrepresented minority groups and women in sectors of society in which they were traditionally prohibited, such as various career and academic opportunities. These minority groups include former enslaved groups and groups that have faced systematically institutionalized discrimination that has perpetuated underdevelopment in their communities, such as African Americans, Hispanics/Latinos and Native-Americans. To correct this, the Civil Rights Act of 1964 was established, functioning to abolish employment discrimination. A year later, President Lyndon B. Johnson signed Executive Order 11246, mandating that federal contractors reserve some jobs for minorities, and give them preference over white applicants in order to encourage diversity among federal worksites and end ethnoracial discrimination. By the late 1960s and early 1970s, educational institutions and some workplaces were using affirmative action to diversify their populations.

Affirmative action is used as a means to end systemic discrimination and the perpetuation of undesirable living standards of Native Americans. At the time, Asian Americans, Hispanics, African Americans and Native Americans faced a variety of conspicuous obstacles to the fulfillment of their communities, including segregated neighborhoods, inferior medical facilities, and reduced access to employment. Although each of these groups faced segregation in various neighborhoods, it is only Native Americans who lived in the completely separate squalor of Indian Reservations. The condition of life on Indian reservations is completely incomparable to the average American standard of living. Suffering from a poverty level of 69%--an unimaginable level for the modern United States—in many ways Native Americans are at the bottom rung of the economic and academic ladder. National statistics for the population tell of an unemployment rate at 49% (ten times the national rate), 37% poverty rate (four times the national rate), and most startling, almost one in five Native Americans aged 25 or older in tribes without gambling operations (Indian casinos, which in recent years has proved to be a viable means of uplifting the community) had less than a ninth-grade education, but even tribe members who live in communities with gambling operations only had a college graduation rate of 16% (half the national rate).

In a way, Native Americans are a silent minority as their numbers are so few that they are easily forgotten on large-scale discussions of affirmative action. Although the aforementioned rates do not seem to express the impact affirmative action has had on the community, many of the factors towards the level of poverty found on reservations is due to a long history of neglect and lack of funding that are outside the realm of affirmative action. In order for an individual to qualify for affirmative action, he must be within the realm of candidates for the purposed job or academic position. What this means for a large number in Native American populations is that they are not capable of taking full advantage of affirmative action because their education levels

are so low that they cannot compete with other people for positions even with the implementation of affirmative action. In other words, for affirmative action to be applicable an applicant must have a skill set that is within the “ballpark” and due to the current situation on reservations and in the poor rural and urban communities that Native American tend to inhabit, they are not even in the “ballpark” to make use of affirmative action.

However, one must keep in mind that there is a small group of well education elites who have broken this cycle. A clear example of affirmative action’s most visible affect on the community has been the growth of Indian casinos. These casinos are an important part of the community infrastructure in that they provide seed money used to launch various other small businesses that can produce millions in revenue, thus alleviating tribal poverty from within the tribe, allowing for higher income, greater advances in education and a more structured community. Many of the tribe members who are operating these casinos are the educated elite who have managed to use affirmative action to their benefit in order to return to the reservations and then use this knowledge for the advancement of the community. Casinos are an indirect positive effect from affirmative action. These educated elites are returning to their communities to build a foundation for better education and financial stability that will allow future generations to gain entry in college and better job opportunities, thus creating a cycle of community improvement.

However, this policy is not without controversy. Many opponents (many of whom are white) see affirmative action as “reverse discrimination” and do not believe that the growth of Indians casinos have helped the Native American population help itself to a better future as these casinos only produce wealth for a few individuals while causing a push towards unregulated land reform, straining local, state and federal governments. The states where affirmative action has been previously banned or where it was battled on a 2008 proposed referendum include California, Washington, New Mexico, Colorado and Nebraska. These states are also states with some of the highest populations of Native Americas, particularly those living on reservations. Critics argue that an overturning of affirmative could strip the community of the well-educated elite needed to properly manage funds used to help the reservations. The effectiveness of affirmative action on the Native American population has been largely undetermined as the number of individuals who manage to graduate high school and go to college off reservations is too few to produce significant data. It has also become apparent that despite affirmative action, low-income education in this country is not improving. The minorities who are benefitting from affirmative action are the ones attending the best schools; many times the same as their white counterparts.

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